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TITLE 3—THE PRESIDENT

PROCLAMATION 2849

FIRE PREVENTION WEEK, 1949

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the lives of thousands of our fellow Americans—men, women, and children—are destroyed each year by fire and countless others suffer permanent disability from the same cause; and

WHEREAS preventable fires also destroy an untold amount of irreplaceable natural resources and of private and public property, including forests and farms, schools and churches, hospitals, homes, and factories; and

WHEREAS for these reasons the prevention of fires is of the utmost concern to every American citizen:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 9, 1949, as Fire Prevention Week.

I earnestly request that during that week all of us undertake a year-round campaign against destructive fires in our homes and in our communities. I also request that State and local governments, the American National Red Cross, the National Fire Waste Council, the Chamber of Commerce of the United States, business, labor, and farm organizations, churches, schools, civic groups, and agencies of public information, including newspapers, magazines, and the radio, television, and motion picture industries, cooperate fully in the observance of Fire Prevention Week. I direct the appropriate agencies of the Federal Government to assist in arousing public awareness of the need for active participation in this crusade against the frightful toll of life and property resulting from fires.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 2nd day of August in the year of our Lord nineteen hundred and forty-

[SEAL] nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-6397; Filed, Aug. 3, 1949; 3:42 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 940—PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

MISCELLANEOUS AMENDMENTS

Notice was published in the FEDERAL REGISTER issue (14 F. R. 3920) of July 15, 1949, that consideration was being given to the approval of proposed administrative rules and regulations to be effective under the marketing agreement and Order No. 40 (7 CFR Part 940) regulating the handling of peaches grown in the County of Mesa in the State of Colorado, issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to said marketing agreement and order as the agency to administer the provisions thereof), it is hereby found and determined that the following rules and regulations are in accordance with the provisions of said marketing agreement and order; and said rules and regulations are hereby approved:

§ 940.100 *Definitions.* (a) "Marketing agreement and order" means Marketing Agreement No. 88 and Order No. 40 (7 CFR Part 940) regulating the handling of peaches grown in the County of Mesa in the State of Colorado.

(b) All terms used herein shall have the same meaning as when used in the marketing agreement and order.

§ 940.101 *General.* Unless otherwise provided in the marketing agreement

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and the order or by specific direction of the Administrative Committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to "Administrative Committee, P. O. Box 368, Palisade, Colorado".

§ 940.104 *Exemption certificates.* (a) Each application for an exemption certificate shall be submitted on Form A "Application for Exemption from Grade and Size Regulation," which may be obtained from the Administrative Committee, and shall contain the following information:

(1) Name and address of applicant;
(2) Location of each orchard from which peaches will be shipped pursuant to the exemption certificate requested;
(3) Estimated total production of peaches from such orchard and all other orchards owned or controlled by such applicant;
(4) Estimated percentage of peaches of such production which cannot be shipped because of the then effective (i) grade regulation, and (ii) size regulation, together with the reasons why such percentage fails to meet the requirements of the grade and size regulations; and

(5) The total quantity of such peaches which the applicant shipped or otherwise disposed of since the beginning of the then current Elberta peach shipping season.

Each such application shall be accompanied by a statement of an authorized representative of the Federal-State Inspection Service showing that he has checked the orchards identified in such application and that he has determined, from a representative sample of the peaches, the percentage of such peaches which will meet the requirements of the aforesaid grade and size regulations; and such percentage shall be set forth in such statement.

(b) In the event the Administrative Committee finds that the applicant is entitled to an exemption certificate, it shall issue, or cause to be issued, an appropriate form of exemption certificate. If the Administrative Committee finds that the applicant is not entitled to an exemption certificate, it shall so advise the applicant promptly in writing and state the reasons therefor.

(c) Each producer who ships peaches, or causes peaches to be shipped, pursuant to an exemption certificate, shall submit promptly to the Administrative Committee an accurate report with respect to the disposition of each such shipment, and the date and quantity thereof.

§ 940.105 *Reports.* Each handler shall with respect to all peaches shipped by him each day, promptly report, or cause to be reported, to the Administrative Committee the point of origin of each shipment, the number and type of packages, the grades and sizes of the peaches, and the number of the railroad car or the license number of the truck in which such peaches were shipped.

§ 940.107 *Peaches for charitable purposes.* Any person who ships peaches for consumption by charitable institutions

or for distribution by relief agencies shall, prior to making each such shipment, furnish satisfactory proof to the Administrative Committee that said peaches will be used for the aforesaid purposes and not otherwise.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that shipments of the 1949 crop of Mesa County, Colorado, Elberta peaches are expected to begin on or about August 20, 1949, and said rules and regulations should be effective not later than August 20, 1949, in order to enable said Administrative Committee effectively to perform its duties in accordance with said marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 2d day of August 1949, to be effective on and after August 20, 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-6359; Filed, Aug. 4, 1949; 8:46 a. m.]

PART 951—TOKAY GRAPES GROWN IN CALIFORNIA

DETERMINATION WITH RESPECT TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1949-50 SEASON

Notice was published in the FEDERAL REGISTER issue (14 F. R. 3889) of July 14, 1949, that consideration was being given to proposals regarding the budget of expenses and the fixing of the rate of assessment for the 1949-50 season under the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951; 14 F. R. 440), regulating the handling of Tokay grapes grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found and determined that:

§ 951.204 Budget of expenses and rate of assessment for the 1949-50 season—

(a) *Budget of expenses.* The expenses likely to be incurred by said Industry Committee during the season beginning April 1, 1949, for its maintenance and functioning under the aforesaid amended marketing agreement and order, will amount to \$29,225.00.

(b) *Rate of assessment.* The rate of assessment, during the season beginning April 1, 1949, which each handler who first ships Tokay grapes shall pay as his pro rata share of the aforesaid expenses in accordance with the provisions of said amended marketing agreement and order, is hereby fixed at two cents (\$0.02) per hundred pounds of Tokay grapes.

It is hereby further found that it is contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237, 5 U. S. C. 1001 et seq.) in that (1) in accordance with the provisions of said amended marketing agreement and order, the rate of assessment is applicable to all fresh Tokay grapes shipped during the 1949-50 season; (2) shipments of Tokay grapes usually begin on or about August 15 of each year and become heavy in volume almost immediately thereafter; (3) the provisions hereof do not impose any obligation on a handler until such handler ships Tokay grapes; and (4) the immediate specification of the assessment rate will assist handlers of Tokay grapes in making their plans for the 1949-50 season and thereby tend to promote the orderly marketing of such grapes.

As used in this section, the terms "handler," "ships," "shipment," and "season" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2d day of August 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-6360; Filed, Aug. 4, 1949; 8:46 a. m.]

PART 971—MILK IN THE DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area, hereinafter referred to as the "order", it is hereby found and determined that:

1. The provision of the order "if such certification has been in effect for not less than 16 days during the month" appearing in § 971.1 (f) does not tend to effectuate the declared policy of the act with respect to milk subject to the provisions of the order; and

2. In accordance with the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 237), notice of proposed rule making, public procedure thereon, and publication or service of this suspension order 30 days prior to its effective date hereby are found to be impracticable, unnecessary, and contrary to the public interest in that it is imperative to issue this suspension order immediately to reflect current marketing conditions and to facilitate, promote, and maintain the orderly marketing of milk produced for the Dayton-Springfield, Ohio, marketing area. The changes affected by this suspension do not require of persons affected substantial or extensive preparation prior to its effective date

and therefore no delay in its effective date is necessary.

It is therefore ordered, That the provision of the order "if such certification has been in effect for not less than 16 days during the month" appearing in § 971.1 (f) be and it hereby is suspended with respect to milk subject to the provisions of the order from the effective date of this order of suspension until further notice.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246, 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of August 1949, to be effective upon publication in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-6358; Filed, Aug. 4, 1949; 8:45 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 220—CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

MARGIN REQUIREMENTS; TRANSACTIONS IN UNDERMARGINED ACCOUNTS

The following interpretation under this part relating to credit by brokers, dealers, and members of national securities exchanges was issued by the Board of Governors of the Federal Reserve System on July 28, 1949:

§ 220.107 *Transactions in undermargined accounts.* In an interpretation published at § 220.104, the Board considered two questions in connection with the rules applicable at that time to withdrawals of cash or securities from an undermargined general account under this part.

One question related to the purchase of an unregistered nonexempted security in the account. The other concerned a case in which a security held in the account was sold, delivery was delayed by borrowing a security rather than delivering the security held in the account, and the security held in the account was used later to settle the short position.

The conclusions on both points were based on the provisions of this part in effect at the time regarding withdrawals from such accounts. Those withdrawal provisions were changed by an amendment, effective May 1, 1949 (14 F. R. 2883), and the Board has been asked regarding the application of the new withdrawal rules to such situations. It has expressed the following views:

(a) Unregistered securities can not be carried on margin and accordingly a deposit equal to the full cost of any unregistered securities purchased in the account must, of course, be obtained. However, a purchase of unregistered securities in the general account may now be treated as a transaction other than a withdrawal, and accordingly the deposit equal to such cost may be obtained

within the three-day period specified in §§ 220.3 (b) and 220.3 (e).

(b) With respect to the case in which a customer wishes to sell a security that is held in the account and to delay delivery by borrowing a security rather than delivering the one held in the account, the present withdrawal rules permit the sale to be treated as a short sale against which margin is not required and permit the transaction to be treated as completed when the security held in the account is delivered later to close out the short position. Accordingly, it is now permissible for an offsetting transaction to take place on the date when the delivery is so made.

This supersedes the ruling referred to above at § 220.104. (That ruling also pointed out that the "good faith loan value" specified for an exempted security means the amount which the broker would customarily lend on the security, and that the figure can not be arbitrarily reduced merely for the purpose of permitting a later substitution of registered securities for exempted securities. That principle is still correct, but is of limited application in view of the provisions now contained in this part for withdrawals and substitutions of securities.)

(Sec. 3 (a) and (b), sec. 7 (a), (b), (c) and (d), sec. 8 (a), sec. 17 (b) and sec. 23 (a), 48 Stat. 831, 886, 888, 897, and 901; sec. 8, 49 Stat. 1379; 15 U. S. C. 78c-(a) and (b), 78g-(a), (b), (c) and (d), 78h-(a), 78q-(b), 78w-(a))

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 49-6349; Filed, Aug. 4, 1949,
8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5556]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GREENGLASS SALES CO. ET AL.

Subpart—*Misrepresenting oneself and goods:* § 3.1400 *Dealer as manufacturer;* subpart—*Using misleading name—Vendor:* § 3.2445 *Producer or laboratory status of dealer or seller;* subpart—*Using or selling lottery devices:* § 3.2475 *Devices for lottery selling;* § 3.2480 *In merchandising.* I. Selling or distributing in commerce, punchboards, push cards or other lottery devices which are to be used or may be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; and, II, in connection with the offering for sale, sale and distribution of games, cigarette lighters, clocks, or other articles of merchandise in commerce, (1) selling or distributing assortments of merchandise so packed or assembled that sales of said merchandise to the public are to be made or, due to the manner in which such merchandise is packed or assembled at the time it is sold by respondent, may be

made by means of a game of chance, gift enterprise, or lottery scheme; (2) supplying or placing in the hands of others push or pull cards, punchboards, or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punchboards, or other lottery devices are to be used, or may be used, in selling or distributing merchandise to the public, (3) selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme; or, (4) using the term "Manufacturing" or the abbreviation "Mfg.," or any other word or abbreviation of similar import or meaning, in respondent's trade name or in any other manner to designate or describe respondent's business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Hyman Greenglass, trading as Greenglass Sales Co., Profit Manufacturing Co., etc., Docket 5556, July 7, 1949]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 7th day of July A. D. 1949.

In the Matter of Hyman Greenglass, an Individual, Trading as Greenglass Sales Co., Profit Manufacturing Co., and Zeno Game Co.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Hyman Greenglass, an individual, trading as Greenglass Sales Co., Profit Manufacturing Co., and Zeno Game Co., or under any other trade name, and his agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

Selling or distributing in commerce, as "commerce" is defined in the Federal Trade Commission Act, punchboards, push cards or other lottery devices which are to be used or may be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent, Hyman Greenglass, an individual trading as Greenglass Sales Co., Profit Manufacturing Co., and Zeno Game Co., or under any other trade name, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of games, cigarette lighters, clocks, or other articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing assortments of merchandise so packed or assembled that sales of said merchandise to the

public are to be made or, due to the manner in which such merchandise is packed or assembled at the time it is sold by respondent, may be made by means of a game of chance, gift enterprise, or lottery scheme.

2. Supplying or placing in the hands of others push or pull cards, punchboards, or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punchboards, or other lottery devices are to be used, or may be used, in selling or distributing merchandise to the public.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

4. Using the term "Manufacturing" or the abbreviation "Mfg.," or any other word or abbreviation of similar import or meaning, in respondent's trade name or in any other manner to designate or describe respondent's business.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-6375; Filed, Aug. 4, 1949;
8:56 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,¹ Amdt. 142]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

INDIANA, IOWA, NEW MEXICO AND TENNESSEE

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, Item 97, is amended to describe the counties in the Defense-Rental Area as follows:

Bartholomew; and in Shelby County, the Township of Addison.

In Lawrence County, the Townships of Shawswick and Marion.
Jackson.

This decontrols from §§ 825.1 to 825.12 (1) the City of Martinsville in Morgan County, Indiana, a portion of the Columbus, Indiana, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as

¹ 13 F. R. 5706, 5783, 5788, 5789, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8218, 8327, 8386; 14 F. R. 93, 143, 271, 337, 456, 627, 682, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1st68, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2695, 2746, 2761, 2796, 3079, 3120, 3152, 3200, 3234, 3280, 3311, 3353, 3399, 3451, 3467, 3494, 3556, 3617, 3672, 3673, 3704, 3705, 3745, 3773, 3813, 3848, 8992, 4481, 4450, 4451, 4618, 4749, 4750, 4789.

amended, and (2) the remainder of said Morgan County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

2. Schedule A, Item 111a, is amended to describe the counties in the Defense-Rental Areas as follows:

Johnson, except the Town of Lone Tree.

This decontrols from §§ 825.1 to 825.12 the Town of Lone Tree in Johnson County, Iowa, a portion of the Iowa City, Iowa, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 196a, is amended to read as follows:

(196a) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 (1) the City of Las Cruces in Dona Ana County, New Mexico, a portion of the Las Cruces, New Mexico, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 287, is amended to describe the Counties in the Defense-Rental Area as follows:

Bradley and Hamilton.
Catoosa and Walker.

This decontrols from §§ 825.1 to 825.12 (1) the City of South Pittsburg in Marion County, Tennessee, a portion of the Chattanooga, Tennessee, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Marion County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective August 2, 1949.

Issued this 2d day of August 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-6365; Filed, Aug. 4, 1949;
8:47 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 139]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

INDIANA, IOWA, NEW MEXICO AND
TENNESSEE

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule A, Item 97, is amended to describe the counties in the Defense-Rental Area as follows:

Bartholomew; and in Shelby County, the Township of Addison.

In Lawrence County, the Townships of Shawswick and Marlon.
Jackson.

This decontrols from §§ 825.81 to 825.92 (1) the City of Martinsville in Morgan County, Indiana, a portion of the Columbus, Indiana, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Morgan County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

2. Schedule A, Item 111a, is amended to describe the counties in the Defense-Rental Area as follows:

Johnson, except the Town of Lone Tree.

This decontrols from §§ 825.81 to 825.92 the Town of Lone Tree in Johnson County, Iowa, a portion of the Iowa City, Iowa, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 196a, is amended to read as follows:

(196a) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 (1) the City of Las Cruces in Dona Ana County, New Mexico, a portion of the Las Cruces, New Mexico, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 287, is amended to describe the Counties in the Defense-Rental Area as follows:

Bradley and Hamilton.
Catoosa and Walker.

This decontrols from §§ 825.81 to 825.92 (1) the City of South Pittsburg in Marion County, Tennessee, a portion of the Chattanooga, Tennessee, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Marion County on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective August 2, 1949.

Issued this 2d day of August 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-6366; Filed, Aug. 4, 1949;
8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR, Part 101]

ALASKA COMMERCIAL FISHERIES

NOTICE OF INTENTION TO ADOPT AMENDMENTS TO THE EXISTING REGULATIONS FOR THE PROTECTION OF THE COMMERCIAL FISHERIES OF ALASKA; AMENDMENT 1

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237; 5 U. S. C. 1003), and the authority contained in the act of June 6, 1924 (43 Stat. 465, 48 U. S. C. 221, et seq.), as amended and supplemented, notice is hereby given that:

The Notice of Intention to adopt amendments to the existing regulations for the protection of the commercial

fisheries of Alaska, dated July 15, 1949, and published in the FEDERAL REGISTER on July 22, 1949, is amended by changing the dates, November 14, 15 to November 7 and 8 respectively.

Dated: July 29, 1949.

[SEAL] MASTIN G. WHITE,
Acting Assistant Secretary
of the Interior.

[F. R. Doc. 49-6347; Filed, Aug. 4, 1949;
8:40 a. m.]

¹ 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2176, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 3079, 3121, 3153, 3201, 3234, 3280, 3311, 3353, 3400, 3451, 3468, 3494, 3555, 3617, 3675, 3705, 3746, 3772, 3811, 3812, 3849, 3993, 4482, 4451, 4452, 4617, 4668, 4751, 4752, 4790.

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 939]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1949-50 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Control Committee, functioning under the marketing agreement and Order No. 39 (7 CFR Part 939), regulating the handling of Beurre d'Anjou,

Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed \$18,190.00 are likely to be incurred by said committee during the fiscal period beginning July 1, 1949, and ending June 30, 1950, both dates inclusive, for its maintenance and functioning under the aforesaid marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first handles pears shall pay in accordance with the provisions of the aforesaid marketing agreement and order during the aforesaid fiscal period, the rate of assessment at 4 mills (\$0.004) per standard western pear box of pears, or its equivalent of pears in other containers or in bulk.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than midnight of the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

(48 Stat. 31; 7 U. S. C. Sup. I 601 et seq.; 7 CFR 939)

Issued this 2d day of August 1949.

[SEAL] S. R. SMITH,
*Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.*

[F. R. Doc. 49-6378; Filed, Aug. 4, 1949;
8:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 12]

[Docket 9295]

AMATEUR RULES

NOTICE OF INFORMAL CONFERENCE

JULY 28, 1949.

The Commission, on July 27, 1949, designated October 10, 1949, as the day on which an informal conference would be held at the Commission's Offices, Washington, D. C., to discuss various portions of the proposed amendments to the amateur rules set forth in the Commission's notice of proposed rule making (Docket 9295) dated April 20, 1949.

Numerous comments, both pro and con, have been received by the Commission on the proposed rules. Some of these comments have opposed the proposals in their entirety. Other comments have approved all of the proposals. Many of the comments have expressed

approval of parts of the proposals, while at the same time expressing disapproval of other portions of the proposals.

The Commission believes it desirable that all interested parties should be afforded an opportunity to sit down with each other and with the Commission's staff informally to discuss specifically each of the proposed rules to the end that such rules as may be adopted by the Commission should assume the best possible substance and form within the principles set forth in the Commission's notice of proposed rule making.

In line with the purpose of the informal conference, the Commission requests that all parties attending the Conference be prepared to address themselves to each of the specific proposals set forth in the Commission's notice of proposed rule making, and if revisions or modifications of wording are desired by the parties, to be prepared to present the specific language considered to be desirable.

All interested persons or organizations may participate in the informal conference. However, in the interest of providing an orderly procedure, the Commission requests that all persons desiring to attend, file with the Commission prior to October 3, a notice of intention to participate and an estimate of the amount of time necessary to present the material desired to be placed before the conference.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6373; Filed, Aug. 4, 1949;
9:03 a. m.]

[47 CFR, Part 35]

[Docket No. 9406]

WIRE-TELEGRAPH AND OCEAN-CABLE
CARRIERS

UNIFORM SYSTEM OF ACCOUNTS

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Sections 35.31-99, and 35.3110 to 35.3625, of the Commission's rules and regulations regarding uniform operating-revenue accounts for Wire-telegraph and Ocean-cable Carriers were promulgated by the Commission in 1940 to become effective on January 1, 1942, and were designed to reflect the several sources of revenue of wire-telegraph and ocean-cable carriers as then existing. In October of 1941, the Commission postponed the effective date of these rules and regulations to January 1, 1943.

3. Progress in the art of wire-telegraph and ocean-cable communications, changes in the types of service rendered, and other developments have occasioned a need for appropriate revision of these rules.

4. The substance of the sections that are proposed to be superseded is retained in the proposed revision. However, the text of the several accounts is changed to clarify the accounting provided there-

in. These revisions will provide uniformity in accounting for telegraph revenue whether transmission is effected by wire, cable, or radio, since these proposed changes will provide accounting identical to that provided in proposed amendments of Part 34 (Uniform System of Accounts for Radiotelegraph Carriers), in Docket No. 9370. The proposed changes were developed by the Commission's staff after conferences with representatives of the several carriers.

5. Therefore, it is proposed to amend Part 35 of the Commission's rules and regulations as provided below, such amendments to become effective 6 months after the adoption of a final order herein, with the provisions, however, that, if the amendments are adopted, any carrier may adopt the modified accounting procedure with respect to the prior months of the calendar year 1950.

6. The proposed amendment is issued under authority of sections 4 (i) and 220 of the Communications Act of 1934, as amended.

7. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the manner set forth herein, may file with the Commission on or before September 6, 1949, a statement or brief setting forth his comments. At the same time persons favoring the amendment as proposed may file statements in support thereof. Before taking action in the matter the Commission will consider all such comments that are presented; and, if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

8. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: July 27, 1949.

Released: July 28, 1949.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 35.02-1 by adding new definitions as follows:

"Domestic message revenue" means revenue from the "transmission" of messages between points within the area comprising the "Continental United States," Alaska, Canada, Saint Pierre-Miquelon, and Mexico.

"Transoceanic message revenue" means revenue from the "transmission" of messages between points outside the area comprising the "Continental United States," Alaska, Canada, Saint Pierre-Miquelon, and Mexico, and between such points and points designated as gateway points (or "Continental terminus," for radiotelegraph communications, as defined in Part 34 of this chapter).

2. Amend § 35.02-1 by revising the definition of "Continental United States" by the deletion therefrom of the term "the Territory of Alaska" so that the definition will read as follows:

"Continental United States" means the several States of the United States and the District of Columbia.

3. Amend § 35.02-1 by deleting from the definition of "Insular communication," the words "the Philippine Islands and", and by deleting from the definition of "United States," the words "the Philippine Islands or."

4. Delete §§ 35.31-5 and 35.31-6, and add the following new section:

§ 35.31-5 *Subdivisions of operating-revenue accounts.* Carriers furnishing both wire-telegraph and ocean-cable services shall maintain separate accounts for the operating revenues applicable to each such service.

5. Amend § 35.31-99 to read as follows:

§ 35.31-99 *Contemplated form of operating-revenue statement.* (See § 35.03-9.)

Account No.	Particulars	Amount of revenue for the year
(a)	(b)	(c)
<i>Domestic message revenue</i>		
3110	Public message revenue.....	\$
3115	U. S. Government message revenue.....	
3120	Other governments message revenue.....	
3125	Press message revenue.....	
3160	Domestic transmission of transoceanic and marine messages.....	
3190	Other message revenue.....	
	Total.....	
<i>Transoceanic message revenue</i>		
3210	Public message revenue.....	
3215	U. S. Government message revenue.....	
3220	Other governments message revenue.....	
3225	Press message revenue.....	
3299	Other message revenue.....	
	Total.....	
<i>Other transmission revenue</i>		
3705	Scheduled transmission service revenue.....	
3725	Broadcast-program service revenue.....	
3735	News (C.N.D.) service revenue.....	
3745	Facsimile or photogram service revenue.....	
3755	Telephone service revenue.....	
3799	Miscellaneous transmission service revenue.....	
	Total.....	
	Total transmission revenue.....	
<i>Nontransmission revenue</i>		
3810	Leased-circuit revenue.....	
3820	Other leased-plant revenue.....	
3835	Money-order fees.....	
3899	Miscellaneous nontransmission revenue.....	
	Total.....	
<i>Other telecommunication revenue</i>		
3910	Telephone revenue — Telephone systems.....	
3925	Radiotelegraph revenue — Radiotelegraph systems.....	
	Total.....	
	Total operating revenue.....	

6. Delete §§ 35.3110 to 35.3625, and substitute therefor the following new sections:

§ 35.3100 *Domestic message revenue.* (a) This account, when maintained under the option provided in § 35.03-5 (a), shall include the carrier's portion of revenue from the transmission of mes-

sages between points in the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico.

(b) When maintained, this account shall include, also, the carrier's portion of revenue from the transmission of transoceanic and marine messages in so far as such transmission is performed within the area comprising the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico. (See particularly § 35.3160.)

(c) This account shall be cleared on a monthly basis prior to entries herein for any succeeding month.

§ 35.3110 *Public message revenue.* This account shall include the carrier's portion of revenue from the transmission within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages at effective rates available to the general public.

§ 35.3115 *U. S. government message revenue.* This account shall include the carrier's portion of revenue from the transmission within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages at effective rates available to the United States Government.

§ 35.3120 *Other governments message revenue.* This account shall include the carrier's portion of revenue from the transmission within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages at effective rates available to governments other than the United States Government.

§ 35.3125 *Press message revenue.* This account shall include the carrier's portion of revenue from the transmission within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages at effective rates available to organizations engaged in publication of the substance of such messages.

§ 35.3160 *Domestic transmission of transoceanic and marine messages.* This account shall include the carrier's portion of revenue from the transmission of (a) transoceanic messages between gateway points and points within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, and (b) marine messages between land stations and points within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico.

§ 35.3199 *Other message revenue.* (a) This account shall include the carrier's portion of revenue from the transmission within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages at effective rates available to persons or organizations other than those provided for in §§ 35.3110 to 35.3160.

(b) The records supporting the entries in this account shall be so maintained as to show (1) terminal commissions receivable by the carrier for services rendered to other carriers in originating or terminating messages or for similar communication services (see particularly §§ 35.03-20, 35.31-3, and

35.4275), and (2) revenue from the transmission of messages of transportation carriers and others at rates established for collection under contractual agreements that provide for certain free or concession services.

§ 35.3200 *Transoceanic message revenue.* (a) This account, when maintained under the option provided in § 35.03-5 (a), shall include the carrier's portion of revenue from the transmission of messages (other than marine messages) between points outside the area comprising the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, and between such points and points designated as gateway points in the continental United States. (See § 35.3160.)

(b) This account shall be cleared on a monthly basis prior to entries herein for any succeeding month.

§ 35.3210 *Public message revenue.* This account shall include the carrier's portion of revenue from the transmission between gateway points and points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages (other than marine messages) at effective rates available to the general public.

§ 35.3215 *U. S. Government message revenue.* This account shall include the carrier's portion of revenue from the transmission between gateway points and points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages (other than marine messages) at effective rates available to the United States Government.

§ 35.3220 *Other governments message revenue.* This account shall include the carrier's portion of revenue from the transmission between gateway points and points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages (other than marine messages) at effective rates available to governments other than the United States Government.

§ 35.3225 *Press message revenue.* This account shall include the carrier's portion of revenue from the transmission between gateway points and points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages (other than marine messages) at effective rates available to organization engaged in publication of the substance of such messages. (See particularly § 35.3705; see also § 35.3735.)

§ 35.3299 *Other message revenue.* (a) This account shall include the carrier's portion of revenue from the transmission between gateway points and points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico, of messages (other than marine messages) at effective rates available to persons or organizations other than those provided for in §§ 35.3210 to 35.3225.

(b) This account shall include, in a separate subdivision hereof, the carrier's portion of revenue from the transmission of messages (other than marine mes-

sages) between points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, and Mexico (i. e., messages that do not originate or terminate at, or transit through, points within such area).

§ 35.3700 *Other transmission revenue.* (a) This account, when maintained under the option provided in § 35.03-5 (a), shall include the carrier's portion of revenue from transmission services other than filed messages.

(b) This account shall be cleared on a monthly basis prior to entries for any succeeding month.

§ 35.3705 *Scheduled transmission service revenue.* This account shall include the carrier's portion of revenue from furnishing transmission facilities during specified periods, either with or without operators, to provide for direct communication by customers, for purposes other than broadcast-program or telephone transmission. This includes measured-service revenue (such as teletype service, contract timed service, radioprinter service, etc.). (See also §§ 35.3725, 35.3755, and 35.3810.)

§ 35.3725 *Broadcast-program service revenue.* This account shall include the carrier's portion of revenue from the furnishing of services or facilities utilized in (a) broadcast-program transmission and (b) activities incidentally associated therewith.

§ 35.3735 *News (CND) service revenue.* This account shall include the carrier's portion of revenue from furnishing customers with reports of activities such as stock market transactions, sports events, etc., when such reports are prepared and disseminated by the carrier. This includes periodic charges for the facilities used in such dissemination such as tickers, projectors, etc.

§ 35.3745 *Facsimile or photogram service revenue.* This account shall include the carrier's portion of revenue from the transmission of any matter involving the use of facsimile or other reproducing equipment.

§ 35.3755 *Telephone service revenue.* This account shall include the carrier's portion of revenue from telephone operations when such operations involve the use of plant primarily devoted to radiotelegraph service. (See also § 35.03-8 and account 3910, "Telephone revenue—Telephone systems.")

§ 35.3799 *Miscellaneous transmission service revenue.* This account shall include the carrier's portion of revenue from transmission services not provided for elsewhere.

§ 35.3800 *Nontransmission revenue.* (a) This account, when maintained under the option provided in § 35.03-5 (a), shall include the carrier's portion of revenue from communication operations other than transmission.

(b) This account shall be cleared on a monthly basis prior to entries for any succeeding month.

§ 35.3810 *Leased-circuit revenue.* This account shall include the carrier's portion of revenue from the use by others of circuits, channels, wires, cables, and similar facilities for direct communication by customers, when the charge therefor is based on contractual rent agreements providing for definite periodic terms without regard to the extent of service obtained by the users of such facilities. (See also § 35.3705.)

NOTE A: Income from plant includible in account 1100, "Operated plant leased to others" (as distinguished from revenue includible in this account), shall be included account 5010, "Income from operated plant leased to others."

NOTE B: When the charges for facilities furnished for direct communication by customers is based on the extent of services obtained by the users, such as teletype service, the revenue shall be included in account 3705, "Scheduled transmission service revenue."

§ 35.3820 *Other leased-plant revenue.* This account shall include the carrier's portion of revenue from the use by others of leased operated plant not provided for elsewhere. (See also § 35.30-3.)

§ 35.3835 *Money-order fees.* This account shall include the carrier's portion of revenue from charges for money-order service as distinguished from revenue messages incidental to such service.

NOTE: Revenue from money-order messages, as distinguished from the fees includible in this account, shall be included in the appropriate message-revenue account. (See §§ 35.3110 to 35.3299.)

§ 35.3899 *Miscellaneous nontransmission revenue.* This account shall include the carrier's portion of revenue from nontransmission services not provided for elsewhere, such as revenue from code registration, errand service, and time service.

§ 35.3910 *Telephone revenue; telephone systems.* This account shall include the carrier's revenue from the operation of telephone systems as provided in § 35.03-8 (see also account 3755, "Telephone service revenue").

§ 35.3925 *Radiotelegraph revenue; radiotelegraph systems.* (a) This account shall include the carrier's portion of revenue from the operation of radiotelegraph systems as provided in § 35.03-8.

(b) The records supporting the entries in this account shall be so maintained as to indicate the amount applicable to each primary operating-revenue account provided in the uniform system of accounts prescribed by the Commission for Class A and Class B radiotelegraph carriers (unless radiotelegraph revenues have been included properly in Account 5089, "Income from foreign operations").

7. Make such editorial changes in the Commission's rules and regulations as may be necessary to reflect changes in cross-references to the sections of the Commission's rules and regulations herein amended, or to add cross-references with respect to new sections herein adopted.

[F. R. Doc. 49-6374; Filed, Aug. 4, 1949; 9:01 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2529]

PAYMENTS TO SCHOOL DISTRICTS WHILE BUREAU OF RECLAMATION PROJECTS ARE UNDER CONSTRUCTION

SECTION 1. *Delegation.* The Commissioner of Reclamation may, in accordance with the provisions of this order, exercise the authority conferred upon the Secretary of the Interior by the Act of June 29, 1948 (43 U. S. C. A., sec. 385a) and legislation supplementary thereto, relating to provision for the education of dependents of persons employed on the actual construction of Bureau of Reclamation projects.

SEC. 2. *Assistance to school districts.* On request in writing therefor, assistance may be given to a public school district serving the area in which construction activities of the Bureau of Reclamation are being or will be carried on, upon a finding in writing by the Commissioner of Reclamation:

(a) That assistance to the school district is necessary and in the public interest;

(b) That, in the absence of such assistance to the school district, construction activities of the Bureau of Reclamation in the locality have, or will, cast an undue burden upon the facilities of the public school district or districts serving that locality;

(c) That no other assistance to the school district, which is applicable to the

children for whose education it is proposed that provision now be made, has been made by any other agency of the United States; and

(d) Either that no assistance to the school district, which is applicable to those children, is required to be made by any other party under the terms of a contract with the United States, or that the contractor can and will lawfully be relieved of his obligation under the contract with respect to the education of children of employees and that the estimated cost of any provision for education made under authority of this order will not exceed the estimated savings to the Government arising out of the change in the contract. Contracting officers, in executing change orders, shall estimate the reduction in amounts payable under

the contract to be substantially the same as the estimated cost of making suitable educational provision pursuant to the terms of this order.

SEC. 3. Cooperation. All assistance to the school districts shall be made by cooperative agreement with the public school district or districts serving the area in which construction activities are being carried on. No officer or employee of the Bureau of Reclamation shall interfere with or infringe upon the authority of the officers of, or teachers in, the school district with respect to the curriculum thereof, the teaching therein, or the administration and supervision thereof. Nothing in this order shall be construed to forbid any officer or employee of the Bureau of Reclamation, acting as a private citizen, from exercising the usual privileges of a citizen with respect to the schools.

SEC. 4. Determinations. Before finding that an undue burden is, or will be, cast upon the public school facilities by reason of the Bureau of Reclamation's construction activities, the Commissioner shall determine in writing that:

(a) Enrollment of dependents of employees of the Bureau of Reclamation and its contractors, who were not theretofore residents of the area, has resulted, or will result, in a substantial increase in the school enrollment;

(b) The increased enrollment has resulted, or will result, in (i) an overcrowding of the physical facilities of the schools to such a degree that additional such facilities are required, or (ii) a substantial increase in the expenses of operation of the schools; and

(c) The school district's resources and its revenues during the period for which aid is proposed, from whatever source those revenues are derived (including, particularly, additional revenues which arise out of or as a result of the construction activities of the Bureau of Reclamation and which have accrued, or are likely to accrue, to the district directly or indirectly), have been or will be insufficient, in the absence of the aid which is proposed, to maintain the standards which it has theretofore maintained or which it is required by State law to maintain, whichever are higher.

SEC. 5. Payments. Under the conditions stated in this order, payments may be made to public school districts for:

(a) The furnishing of educational services;

(b) The operation of facilities furnished by the Government;

(c) The expansion of local public school facilities.

SEC. 6. Operation. (a) In States in which school funds are equalized, payments made under paragraphs (a) and (b) of section 5 shall be at a rate per pupil not exceeding the average per pupil cost in the State. In States in which school funds are not equalized, payments made under paragraphs (a) and (b) of section 5 shall be at a rate per pupil not exceeding the average per pupil cost in the public school district concerned. If extraordinary circumstances indicate that a higher rate than that provided in this section is fair and equi-

table, those circumstances shall be set forth with particularity by the Commissioner and submitted by him, together with his recommendations, to the Secretary. In determining the payments to be made under paragraph (b) of section 5, due allowance shall be made for any facilities or services that are furnished by the Government. (b) Payments made under paragraph (c) of section 5 shall not exceed the reasonable cost of temporary type structures and other facilities adequate to meet the needs of the public school district during the period when, as indicated by the determinations made under section 4 of this order, an undue burden would otherwise be cast on the public school district by the construction activities of the Bureau of Reclamation.

SEC. 7. Redelegation. The Commissioner is authorized to make such rules as are consistent with this order and the statutes referred to as are required to carry out the purposes of this order. The Commissioner may redelegate to the Regional Directors of the Bureau of Reclamation any of the authority conferred upon him by this order.

(5 U. S. C., 1946 ed., sec. 22; 16 U. S. C., 1946 ed., sec. 590z-11)

Dated: August 1, 1949.

[SEAL]

J. A. KRUG,

Secretary of the Interior.

[F. R. Doc. 49-6348; Filed, Aug. 4, 1949; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 52]

JOSEPH R. AWAD & CO.

ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of Joseph R. Awad, Joseph R. Awad & Co., 160 Broadway, New York, New York.

This proceeding was begun on April 1, 1949, by the mailing of a charging letter to the above-named respondents wherein the Office of International Trade charged respondents with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, by submitting to the Office of International Trade, during the month of December 1948, in support of export license applications, certain documents which were represented to be firm and binding orders received from foreign customers but which were in fact false and fraudulent.

Respondents submitted a written answer under date of April 5, 1949, denying the charges generally and asserting that all documents submitted to the Office of International Trade and represented as constituting firm orders and confirmations thereof were genuine. A hearing was held on said charges in Washington, D. C., on April 20, 1949, pursuant to notice duly given, before the Compliance Commissioner of the Office of International Trade. Respondents as well as the Office of International Trade were represented by counsel. Respondent Joseph R. Awad appeared personally and testified. Oral

testimony and documentary evidence were likewise received on behalf of the Office of International Trade. The Compliance Commissioner, after receiving the evidence and after due consideration of the record, on July 26, 1949, filed his report in the matter.

It appears from the record and the report of the Compliance Commissioner that respondent Joseph R. Awad & Co., is a trade name under which respondent Joseph R. Awad conducts a general export and import business in New York City; that in or about the month of December 1948 respondents transmitted to Loredo y Diaz, Havana, Cuba, Joseph Elias & Cia, Barquisimeto, Venezuela, and Commercial Machado, S. A., Caracas, Venezuela, certain letters in which respondents solicited the submission of orders for lard but stipulated with the recipients of such letters that any orders placed pursuant thereto would not be binding but would be used by respondents for the purpose of securing export licenses which, if and when issued, would be made available to the persons placing such orders to accomplish the shipment of such quantities of lard as such persons might thereafter desire to purchase; that pursuant to said letters of solicitation the above-named persons to whom such letters were transmitted placed with respondents orders for large quantities of lard; that, in consequence of said orders having been submitted pursuant to the above-mentioned letters of solicitation, said orders were not firm orders and were not binding upon the respective persons who placed them with respondents; that during the month of December 1948 respondents submitted said orders to the Office of International Trade in support of applications for export licenses for large quantities of lard and represented to the Office of International Trade that such orders were firm and binding orders; that respondents thereby knowingly and intentionally made false representations to the Office of International Trade for the purpose of securing export licenses and thereby knowingly and intentionally violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder.

It further appears from the record and the report of the Compliance Commissioner that, although such violations must be deemed to have been committed intentionally and hence to justify a suspension of export license privileges, nevertheless, in view of the facts that respondent Awad knows relatively little English, that his letters were composed for him by others, that they may have been transmitted without full realization of their effect or of their conflict with export regulations, that no licenses were issued or shipments made on the basis of the purported orders, and that future violation of the character here involved appears unlikely, such suspension should be for a limited period only.

The Compliance Commissioner has accordingly recommended that all outstanding export licenses held by or issued in the names of respondents be revoked and forthwith returned to the Office of International Trade for cancellation and that respondents be denied the privilege

of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general licenses, for a period of two months from the date of this order, and, further, that such denial extend not only to respondent Awad personally but also to any trade name, firm, corporation or other business association in or with which he may be now or hereafter engaged in export trade.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the record in this matter and it appears that such findings are supported by the record and that such recommendations should be adopted. Now, therefore, it is ordered as follows:

(1) Respondents, Joseph R. Awad and Joseph R. Awad & Co., are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general licenses, for a period of two months from the date of this order.

(2) Such denial of export license privileges shall extend not only to respondent Joseph R. Awad personally but also to any trade name, firm, corporation or other business association in or with which he may be now or hereafter engaged in export trade.

(3) All outstanding export licenses held by or issued in the name of respondent Joseph R. Awad are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

Dated: July 28, 1949.

LORING K. MACY,
Acting Director,
Commodities Division.

[F. R. Doc. 49-6367; Filed, Aug. 4, 1949;
9:01 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which the certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Regulations, Part 522—Regulations Applicable to the Employment of Learners.

Crane China Corporation, Vega Baja, Puerto Rico; to employ 227 learners at

not less than 20 cents an hour in 58 specified plant occupations directly related to the manufacture of hotel and institutional chinaware. The learning periods stipulated in the certificate, which is effective July 1, 1949, to December 31, 1949, varies from 175 hours to 1,000 hours depending upon the occupation involved.

Puerto Rico Mills, Inc., Puerto de Tierra, Puerto Rico; to employ 35 learners in the hosiery industry as follows: 8 learners in the occupation of legging, 3 learners in the occupation of footing, 2 learners in the occupation of looping and 4 learners in the occupation of seaming at not less than 20 cents an hour for the first 320 hours; not less than 25 cents an hour for the second 320 hours and not less than 30 cents an hour for the third 320 hours; 10 learners in the occupation of topping, 4 learners in the occupation of mending and 1 learner in the occupation of winding at not less than 20 cents an hour for the first 160 hours; not less than 25 cents an hour for the second 160 hours and not less than 30 cents an hour for the third 160 hours; 3 learners in the occupation of examining at not less than 20 cents an hour for the first 80 hours; not less than 25 cents an hour for the second 80 hours and not less than 30 cents an hour for the third 80 hours. This certificate is effective July 7, 1949 and expires July 6, 1950.

Senorita Hosiery Mills, Inc., Gurabo, Puerto Rico; to employ 56 learners as follows: 25 learners in the occupation of knitting, 12 learners in the occupation of seaming and 6 learners in the occupation of looping at not less than 20 cents an hour for the first 320 hours; not less than 25 cents an hour for the second 320 hours and not less than 30 cents an hour for the third 320 hours; 4 learners in the occupation of topping and 4 learners in the occupation of mending at not less than 20 cents an hour for the first 160 hours; not less than 25 cents an hour for the second 160 hours and not less than 30 cents an hour for the third 160 hours; 5 learners in the occupation of examining at not less than 20 cents an hour for the first 80 hours; not less than 25 cents an hour for the second 80 hours and not less than 30 cents an hour for the third 80 hours. This certificate is effective July 1, 1949 and expires June 30, 1950.

Granada Glove Corp., Cayey, Puerto Rico; to employ 160 learners in the fabric glove industry, as follows: 40 learners in the occupation of inserting at not less than 27 cents an hour for 220 hours; 40 learners in the occupation of killing at not less than 27 cents an hour for 190 hours; 50 learners in the occupation of closing at not less than 27 cents an hour for 270 hours and 30 learners in the occupation of kip-seaming at not less than 27 cents an hour for 180 hours. This certificate is effective July 13, 1949, and expires January 12, 1950.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not avail-

able for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at Washington, D. C., this twenty-ninth day of July 1949.

ISABEL FERGUSON,
Authorized Representative
of the Administrator.

[F. R. Doc. 49-6356; Filed, Aug. 4, 1949;
8:56 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Name and address of firm, industry, learner occupations, number of learners, learning period, learner wage, effective and expiration date:

Southern Missionary College, Colledge-dale, Tennessee; Printshop; 35 learners in the occupations of compositor, pressman, bindery worker and related operations for a learning period of 500 hours at 35 cents per hour. Laundry; 50 learners in the occupations of checking, sorting, folding, ironing, pressing and related operations for a learning period of 400 hours at 35 cents per hour. This certificate is effective July 6, 1949, and expires July 5, 1950.

Oak Park Academy, Nevada, Iowa; Print Shop; 3 learners in the occupations of pressing, compositor, and related operations for a learning period of 1000 hours at 32 cents per hour. Broom Shop; 6 learners in the occupations of winding and stitching, sorting and related operations for a learning period of 350 hours

at 32 cents per hour. This certificate is effective June 6, 1949, and expires June 5, 1950.

Signed at Washington, D. C., this twenty-eighth day of July 1949.

ISABEL FERGUSON,
Authorized Representative
of the Administrator.

[F. R. Doc. 49-6357; Filed, Aug. 4, 1949;
8:56 a. m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket No. 8643]

FLORIDA EAST COAST BROADCASTING CO.
(WFEC)

ORDER CONTINUING HEARING

In re application of Florida East Coast Broadcasting Company (WFEC), Miami, Florida, Docket No. 8643, File No. BMP-3049; for modification of construction permit.

The Commission having under consideration a petition filed July 27, 1949, by Florida East Coast Broadcasting Company (WFEC), Miami, Florida, requesting a 90-day continuance of the hearing presently scheduled for July 28, 1949, at Washington, D. C., in the proceeding upon the above-entitled application for modification of construction permit; and

It appearing, that all of the parties to the above proceeding have consented to a grant of the instant petition;

It is ordered, This 27th day of July 1949, that the petition is granted; and that the hearing upon the above-entitled application is continued to 10:00 a. m., Friday, October 28, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 49-6368; Filed, Aug. 4, 1949;
9:00 a. m.]

[Docket Nos. 9333, 9334]

COLONIAL BROADCAST CO., INC. AND COASTAL
BROADCASTING CO. (WHIT)

ORDER CONTINUING HEARING

In re applications of Colonial Broadcasting Company, Inc., New Bern, North Carolina, Docket No. 9333, File No. BP-7178; Coastal Broadcasting Company (WHIT), New Bern, North Carolina, Docket No. 9334, File No. BP-7208; for construction permits.

The Commission having under consideration a petition filed July 21, 1949, by Colonial Broadcasting Company, Inc., New Bern, North Carolina, and Coastal Broadcasting Company (WHIT), New Bern, North Carolina, requesting a 30-day continuance of the hearing presently scheduled for August 1, 1949, at Washington, D. C., in the proceeding upon the above-entitled applications for construction permits; and

It appearing, that the public interest, convenience and necessity would be

served by a continuance of the said hearing;

It is ordered, This 22d day of July 1949, that the petition is granted; and that the hearing upon the above-entitled applications is continued to 10:00 a. m., Monday, September 12, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6370; Filed, Aug. 4, 1949;
9:01 a. m.]

[Docket Nos. 9351, 9352]

MARTIN L. SCHULMAN AND CLINTON
COUNTY BROADCASTING CORP.

ORDER CONTINUING HEARING

In re applications of Martin L. Schulman, Plattsburg, New York, Docket No. 9351, File No. BP-7187; Clinton County Broadcasting Corporation, Plattsburg, New York, Docket No. 9352, File No. BP-7227; for construction permits.

The Commission having under consideration a petition filed July 15, 1949, by Martin L. Schulman, Plattsburg, New York, requesting an indefinite or a 60-day continuance of the hearing presently scheduled for August 8, 1949, at Washington, D. C., in the proceeding upon the above-entitled applications for construction permits; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 22d day of July 1949, that the petition is granted; and that the hearing upon the above-entitled applications is continued to 10:00 a. m., Monday, October 10, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6371; Filed, Aug. 4, 1949;
9:01 a. m.]

[Docket No. 9390]

IDAHO RADIO CORP. (KID)

ORDER SCHEDULING HEARING

In re application of Idaho Radio Corporation (KID), Idaho Falls, Idaho, Docket No. 9390, File No. BMP-3308, for modification of construction permit.

The Commission having designated the above-entitled application for hearing on July 20, 1949; and

It appearing, that the public interest, convenience and necessity would be served by an early hearing thereon;

It is ordered, This 22d day of July 1949, that the hearing upon the above-entitled application is scheduled for 10:00 a. m., Tuesday, September 13, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6369; Filed, Aug. 4, 1949;
9:00 a. m.]

CLASS B FM BROADCAST STATIONS

**ORDER AMENDING REVISED TENTATIVE
ALLOCATION PLAN**

In the matter of amendment of revised tentative allocation plan for Class B FM broadcast stations to change the channel allocated to McPherson, Kansas.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of July 1949;

The Commission having under consideration an amendment to its revised tentative allocation plan for Class B FM broadcast stations so as to change the channel allocated to McPherson, Kansas, as follows:

	Channels	
	Delete	Add
McPherson, Kans.....	277	281

It appearing, that there is pending before the Commission an application by McPherson Broadcasting Company for a construction permit for a new Class A FM station at McPherson, Kansas (File No. BPH 1216), to operate on Channel 276 (103.1 mc.), which channel is adjacent to Channel 277 presently allocated to McPherson, Kansas; and that the Commission proposes to grant said application in a subsequent action; and

It further appearing, that the proposed amendment to the allocation plan is desirable in order to eliminate possible future adjacent channel interference as between stations operating on Channels 276 and 277 in McPherson, Kansas; and

It further appearing, that Channel 281, which is presently unallocated in this area, can be allocated to McPherson, Kansas, to replace the proposed deletion of Channel 277, will not reduce the number of channels presently allocated to any other area, and will not require a change in the channel assignment of any existing FM station or authorization; that there are no applications pending for Class B FM facilities at McPherson, Kansas; that the operation of Class B FM stations on Channel 281 at McPherson, Kansas will not cause interference to any station existing, proposed, or contemplated by the FM Allocation Plan; and that no existing requirements of the Commission will be affected by said amendment; and

It further appearing, that the nature of the proposed amendment is such as to render necessary the public notice and procedure set forth in section 4 (a) of the Administrative Procedure Act; and that for the same reasons this order may be made effective immediately in lieu of the requirements of section 4 (c) of said act; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (c), (d), (f) and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, the revised tentative allocation plan for Class B FM broadcast stations

is amended, so that the allocation to McPherson, Kansas changed as follows:

	Channels	
	Delete	Add
McPherson, Kans.....	277	281

Released: July 29, 1949.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6372; Filed, Aug. 4, 1949;
9:01 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-962, G-1070]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF OPINION NO. 179 AND ORDER ISSUING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 2, 1949.

Notice is hereby given that, on July 29, 1949, the Federal Power Commission issued its Opinion No. 179 and order entered July 26, 1949, issuing a certificate of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6361; Filed, Aug. 4, 1949;
8:46 a. m.]

[Docket Nos. G-704, G-1143]

TRANS-CONTINENTAL GAS PIPE LINE CO.,
INC. AND TRANS-CONTINENTAL GAS PIPE
LINE CORP.

NOTICE OF ORDER AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 2, 1949.

Notice is hereby given that, on July 29, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matters, amending order dated May 29, 1948 (13 F. R. 3041) issuing certificate of public convenience and necessity at Docket No. G-704.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6362; Filed, Aug. 4, 1949;
8:47 a. m.]

[Docket No. ID-495]

ERNEST G. KELLETT

NOTICE OF AUTHORIZATION PURSUANT TO SECTION 305 (B) OF FEDERAL POWER ACT

AUGUST 2, 1949.

Notice is hereby given that, on August 1, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matter, authorizing Applicant to hold the additional position as Secretary of Northern States Power Company (Minn.) pursu-

NOTICES

ant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6363; Filed, Aug. 4, 1949;
8:47 a. m.]

[Project No. 2005]

OAKDALE IRRIGATION DISTRICT AND SOUTH
SAN JOAQUIN IRRIGATION DISTRICT

NOTICE OF ORDER AUTHORIZING ISSUANCE OF LICENSE (MAJOR)

AUGUST 2, 1949.

Notice is hereby given that, on July 29, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matter, authorizing issuance of license (major) for the Beardsley Project located on the Middle Fork of the Stanislaus River in Tuolumne County, California.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6364; Filed, Aug. 4, 1949;
8:47 a. m.]

[Docket No. E-6184]

SECRETARIA DE RECURSOS HIDRAULICOS DE
MEXICO AND CENTRAL POWER AND LIGHT
CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO MEXICO

AUGUST 1, 1949.

Notice is hereby given that, on July 28, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matter, authorizing transmission of electric energy to Mexico, and releasing Presidential Permit.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6350; Filed, Aug. 4, 1949;
8:50 a. m.]

[Docket No. G-961]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF ORDER FURTHER EXTENDING TIME OF OPERATIONS OF FACILITIES AND MODIFYING AN ORDER ISSUING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 1, 1949.

Notice is hereby given that, on July 27, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matter, further extending time until October 1, 1950, of operations of facilities and modifying the order dated March 2, 1948 (published in the FEDERAL REGISTER on March 10, 1948 (Vol. 13, No. 48, P. 1291)) issuing a certificate of public convenience and necessity, as amended by order dated July 20, 1948 (published in the FEDERAL REGISTER on July 27, 1948 (Vol. 13, No. 145, P. 4298-99)).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6351; Filed, Aug. 4, 1949;
8:55 a. m.]

[Docket No. G-1180]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF FINDINGS AND ORDER ISSUING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 1, 1949.

Notice is hereby given that, on July 29, 1949, the Federal Power Commission issued its findings and order entered July 26, 1949, issuing a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6352; Filed, Aug. 4, 1949;
8:55 a. m.]

[Project No. 485]

GEORGIA POWER CO.

NOTICE OF ORDER RESCINDING AUTHORIZATION OF AMENDMENT OF LICENSE (MAJOR) AND AUTHORIZING AMENDMENT OF LICENSE (MAJOR)

AUGUST 1, 1949.

Notice is hereby given that, on July 27, 1949, the Federal Power Commission issued its order entered July 26, 1949, in the above-designated matter, rescinding order dated February 3, 1949 (published in the FEDERAL REGISTER on February 10, 1949, Vol. 14, No. 27, P. 606) and authorizing amendment of license (major).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6353; Filed, Aug. 4, 1949;
8:55 a. m.]

[Project No. 1443]

BREITENBUSH HOT SPRINGS

NOTICE OF ORDER AUTHORIZING ISSUANCE OF NEW LICENSE (MINOR)

AUGUST 1, 1949.

Notice is hereby given that, on July 28, 1949, the Federal Power Commission issued its order entered July 26, 1949, authorizing issuance of new license (minor) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6354; Filed, Aug. 4, 1949;
8:56 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 70-2182]

WISCONSIN PUBLIC SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of July 1949.

Wisconsin Public Service Corporation ("Wisconsin"), a public utility subsidiary of Standard Gas and Electric Company, a registered holding company, has filed a declaration and amendment thereto

pursuant to the Public Utility Holding Act of 1935 ("act"), particularly sections 6 (a) and 7 thereof, with respect to the following proposed transactions:

Wisconsin proposes to issue and sell notes in the total principal amount of \$1,500,000 to the following banks: First Wisconsin National Bank, Milwaukee, Wisconsin (\$1,370,000), Citizens' State Bank, Sheboygan, Wisconsin (\$100,000), and The Citizens' National Bank, Stevens Point, Wisconsin (\$30,000). These notes will be dated August 1, 1949, to be due November 1, 1949, will bear interest at the rate of 2% per annum and may be prepaid by Wisconsin without penalty when permanent financing is completed. The proceeds of the sale of these notes will be used for construction requirements of the company.

Wisconsin states that no Commission other than this Commission has jurisdiction over the proposed transactions.

The declaration having been filed on July 14, 1949, and an amendment thereto having been filed on July 15, 1949, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-6355; Filed, Aug. 4, 1949;
8:56 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

Authority: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9587, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13571]

CURT HILMERS

In re: Securities owned by and debts owing to Curt Hilmers, F-28-25302-A-1; C-1; D-1; C-2; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Curt Hilmers, whose last known address is Peine/Hanover, Woldorferstrasse 104, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Four (4) shares of \$1.00 par value capital stock of 221 West Broadway Corporation, now dissolved evidenced by certificate numbered 33, registered in the name of Curt Hilmers and presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, together with all declared and unpaid dividends thereon and any and all rights in, to and under all distributions due or to become due under the plan of dissolution of the aforesaid corporation,

b. One (1) 221 West Broadway Corporation 20 year 6% income debenture of \$200.00 face value, bearing the number 33, registered in the name of Curt Hilmers, presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey; together with any and all rights thereunder and thereto, and any and all rights in, to and under all distributions due or to become due under the plan of dissolution of the aforesaid corporation,

c. One (1) 530 Riverside Drive, Inc. mortgage participation certificate of \$617.48 face value, bearing the number 941, registered in the name of Curt Hilmers and presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, together with any and all rights thereunder and thereto,

d. That certain debt or other obligation owing to Curt Hilmers by The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, arising out of a custody funds account, account number FS 88203, entitled Curt Hilmers, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

e. Cash held by A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, for the account of Curt Hilmers,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-6376; Filed, Aug. 4, 1949;
8:57 a. m.]

[Vesting Order 13572]

WILHELM HILMERS

In re: Securities and cash owned by and debt owing to Wilhelm Hilmers, F-28-25303-A-1; C-1/2, D-1; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Hilmers, whose last known address is (24) Heimefelderstrasse Kaserne Haus No. 3 Zimmer 2—Hamburg, Harburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Four (4) shares of \$1.00 par value capital stock of 221 West Broadway Corporation, now dissolved, evidenced by certificate numbered 34, registered in the name of Wilhelm Hilmers, and presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, together with all declared and unpaid dividends thereon, and any and all rights in, to, and under all distributions due or to become due under the plan of dissolution of the aforesaid corporation,

b. One (1) 221 West Broadway Corporation 20 year 6% income debenture of \$200.00 face value, bearing the number 34, registered in the name of Wilhelm Hilmers, presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, together with any and all rights thereunder and thereto, and any and all rights in, to and under all distributions due or to become due under the plan of dissolution of the aforesaid corporation,

c. One (1) 530 Riverside Drive, Inc. mortgage participation certificate of \$617.48 face value, bearing the number 942, registered in the name of Wilhelm Hilmers and presently in the custody of A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, together with any and all rights thereunder and thereto,

d. That certain debt or other obligation owing to Wilhelm Hilmers by The Chase National Bank of the City of New York 18, Pine Street, New York 15, New York, arising out of a custody funds account, account number FS88205, entitled Wilhelm Hilmers, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

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e. Cash held by A. Judson Winterton, 36 Hillside Avenue, Westwood, New Jersey, for the account of Wilhelm Hilmers is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the

national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-6377; Filed, Aug. 4, 1949;
8:57 a. m.]